

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**COURTNEY HURT, #03035-025**

**Petitioner/Defendant,**

**CIVIL NO. 11-cv-220-DRH**

**vs.**

**CRIMINAL NO. 07-cr-40047**

**UNITED STATES,**

**Respondent/Plaintiff.**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

This matter is before the Court on petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255. On July 31, 2007, petitioner was found guilty of possession with intent to distribute crack cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 851. Petitioner was sentenced to 360 months imprisonment, 8 years supervised release, and was ordered to pay a fine of \$1,000, and a special assessment of \$100. On July 28, 2009, petitioner's conviction and sentence were affirmed on direct appeal. *U.S. v. Hurt*, 574 F.3d 439 (7th Cir. 2009). Petitioner's application for a writ of certiorari to the Supreme Court of the United States was denied on March 22, 2010. *Hurt v. U.S.*, 130 S. Ct. 1923 (2010).

In his current § 2255 motion, petitioner raises 3 grounds for relief: ineffective assistance of counsel where counsel failed to raise "certain issues" at trial and sentencing; prosecutorial misconduct where the government produced invalid judgments to enhance petitioner's sentence; and denial of the full faith and credit clause of the U.S. Constitution. (Doc. 1, p. 4).

The Court **ORDERS** the government to file a response to petitioner's motion within **THIRTY (30) DAYS** of the date of this Order. The government shall, as part of its response, attach all relevant portions of the record.

**IT IS SO ORDERED.**

**DATED:** August 19, 2011

  
David R. Herndon  
2011.08.19  
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**Chief Judge**  
**United States District Court**